

ARTICLE IV MOORING REGULATIONS

Section 1. General Policies

A. Habitual Use It is the policy of the Gloucester Waterways Board that all moorings be utilized as fully as possible. Personal Mooring permittees must habitually use their mooring during the summer season, ***April 15 to October 15***, each year for the vessel on record with the Harbormaster. Transient mooring permittees must habitually use their mooring(s) during the summer season each year for transient vessels, or vessels under repair, by the permittee. For the purpose of these regulations, habitual use is defined as a minimum of thirty (30) days during the summer season. The Harbormaster must be notified in writing, as soon as possible, if a permittee does not intend to habitually use their mooring for the upcoming season and the reasons therefore. The period of nonuse of a mooring by a permittee shall not exceed one (1) permit-year. Failure to comply with the habitual use standard set forth above or allowing the habitual use of a mooring by a vessel not on record with the Harbormaster shall result in automatic revocation of the Mooring Permit.

B. Payment of Excise Taxes It is the policy of the Gloucester Waterways Board that failure to pay state vessel excise taxes shall be grounds to deny and/or revoke a mooring permit by the Harbormaster.

“ Failure to pay said excise by the due date shall result in a penalty being imposed which shall be equal to twenty dollars or twenty five percent of the amount of the excise due, whichever is greater. The penalty shall be in addition to the amount of excise due and any interest thereon imposed by law. If said excise remains unpaid after the due date, the Harbormaster of a city or town shall refuse to allow the vessel to moor, dock, or otherwise be situated within the waters of said city or town.” Massachusetts General Laws Chapter 60B. Section 2.

C. Consistency with Harbor Plan All actions of the Waterways Board and Harbormaster resulting from these regulations shall be consistent with the current Harbor Plan.

D. Multiple Moorings Additional moorings will not be issued for the same registered vessel. An individual who currently has a permitted mooring may add their name to the Wait List for a mooring for the same vessel in another area; however, if/when they become eligible for a mooring in that area, they will be required to surrender the original mooring. This is not meant to prohibit a person from having multiple moorings, each with its designated permitted vessel.

Section 2. Mooring Permits

A. Requirement *“No person shall establish a mooring within Gloucester waterways without first obtaining a permit from the Harbormaster to do so. Mooring permits shall be renewable each calendar year.” Gloucester Code 10-51(b)*

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B. Definition For the purposes of the Regulations, the word “person”, used in Section 2.A. above. Shall include business, organization, or other legal entity.

C. Application Process *“Applications for new permits must be submitted between the first business day of the calendar year and April 15, on forms provided by the Harbormaster.”* Gloucester Code Section 10-51 (c)

A person assigned a mooring will have one (1) calendar year to place a vessel on the mooring. Provided, however, that a mooring fee, equivalent to the fee paid by the previous permittee, or based on declared vessel length on wait list, will be paid for the year regardless if there is a vessel to occupy the space.

D. Mooring Fees *“The fee for each type of mooring shall be established by the City Council. Fees for Personal Moorings shall be charged by the length of vessel at the rate of four dollars (\$4.00) per foot for Gloucester residents and taxpayers and at the rate of six dollars (\$6.00) per foot for nonresidents. The fee for Transient Moorings shall be two hundred dollars (\$200.00) each. There shall be no fee for City Moorings licensed by the Waterways Board.”* Gloucester Code Section 10-51 (e)

E. Vessel Length *“For the purposes of determining the amount of the mooring fee, the length overall (LOA) of a vessel exclusive of bowsprits, main boom, and boomkins” shall be considered the vessel length. “For the purposes of mooring assignments, the length shall include bowsprits, main boom, and boomkins.”* Gloucester Code Section 10-50(j). For the purposes of these regulations the vessel length and length overall (LOA) shall be rounded up to the nearest foot.

F. Vessel Ownership To obtain a mooring a person shall own the vessel shown on the mooring application. The Harbormaster may require the following proof of ownership: a Certificate of Registration, Title or Documentation showing the applicants name; a sales tax receipt; current insurance policy or bill of sale showing the applicants name. The Harbormaster may, at any time, require a permittee to produce the ownership documents listed above if the Harbormaster has reason to believe that ownership is questionable. Only one person shall be listed on a mooring permit. The right of survivorship for a mooring shall be limited to that set forth in Section 6.D., herein.

G. Application Information No Mooring Permit or renewal may be issued until the applicant files the official application form with the Harbormaster, on time, completed in full, along with the appropriate fee. In addition, a State Registration, USCG Documentation or other proof of ownership, whichever is applicable (except in the case of Section 2.C.) will be required, along with proof of residence if applicable (see Section 6.C.).

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H. Timely Return *“A completed renewal application by each mooring permit holder, including the renewal fee and proof of ownership (as provided in Section 2.G.), shall be returned to the Harbormaster’s office by the last business day in February of each year. After that time the mooring holder may renew the permit by filing a completed application, including the regular fee per foot, plus a late fee of \$50.00, by the last business day of May of that same year. Failure to do so will result in the mooring permit being revoked” Gloucester Code Section 10-51 (e).*

1.) Following the February renewal deadline, the Harbormaster shall by (certified) mail, to the applicants address of record, notify the permit holders that have not submitted a completed mooring permit renewal application by the February deadline.

2.) Following the May late renewal deadline, the Harbormaster shall by certified mail, to the applicant's address of record, notify the permit holder that the mooring permit has been revoked. All appeals of this action shall be directed to the Commonwealth of Massachusetts

I. Approval The Harbormaster shall approve or deny a properly completed application for renewal of a Mooring Permit within thirty (30) days of receipt at the Harbormaster’s Office. Mooring Permits are valid only for a period of one (1) year. All Mooring Permits expire on the last day of December of each calendar year.

J. Amendment of Permit If a permittee enters into a partnership, sells a vessel of record or purchases a new vessel, the Harbormaster must be notified immediately for an amendment to the Mooring Permit. The Harbormaster’s approval of the amendment must take place prior to attaching the new vessel to the mooring. In the case of an amendment to a Mooring Permit which changes the use, location, size or mass of the vessel to be moored, the Harbormaster may grant temporary approval of the application pending final review by the Waterways Board. The Waterways Board shall review the Mooring Permit Amendment, consider the Harbormaster’s recommendation and may make a determination to hold a Public Hearing, based on the need to receive public input on particular questions of navigation or impact on the public use and enjoyment of the waterways. If a Public Hearing is not deemed to be necessary, the Board shall direct the Harbormaster to take appropriate action on the application. If the LOA or space requirements of the new vessel is different than that of the previous vessel of record the Harbormaster may require relocation of the mooring at the owners expense. If the LOA of the new vessel is greater than the prior vessel and the available space is not adequate, or if relocation space is not available or location swap with another mooring is not feasible, the Harbormaster may deny the request for an amended Mooring Permit.

K. Finding Within thirty (30) days of a Public Hearing on an application for a Mooring Permit Amendment, the Board shall make a written finding in support of, or in opposition to, the mooring application. The Board’s finding may include conditions, limitations and safeguards to protect the public interest. Said finding shall be forwarded to the Harbormaster who shall take final action on the application.

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Section 3. Waiting Lists

A. Requirement *“Applicants shall be placed on waiting lists by location preferred, in order of their receipt. The Harbormaster shall keep the waiting lists updated and shall post them publicly at the Harbormaster’s Office and at the City Clerk’s Office.”* Gloucester Code Section 10-51(c)

B. Transient Moorings and Trawl Moorings The Harbormaster shall maintain separate waiting lists for Transient Moorings and Trawl Moorings.

C. Application Information Applications for a position on a mooring wait list must be filed between the first business day of January and April 15. A person wishing to have their name placed on a mooring list must either present themselves to the Harbormaster’s office to complete the appropriate application or call to have an application faxed. Due to date and time stamp constraints mailed applications can not be accepted. There is a \$10.00 renewal fee for each year after the initial application. While there is no requirement for a wait list applicant to own a vessel, it is required that when the applicant reaches position number five (# 5) a vessel length must be declared. It is the responsibility of the applicant to keep this information current each year until a mooring space becomes available.

D. Timely Return. Renewal applications are mailed each year on October 1. It is the responsibility of the applicant to keep their contact information up to date and to follow up on their renewal applications each year at this time. Persons wishing to remain on the waiting list shall return this form, together with a renewal fee of \$10.00, on or before December 31st of each year to the Harbormaster. Failure to timely file the renewal shall result in removal from the waiting list, provided however that an applicant may request reinstatement to his or her previous position on waiting lists by filing with the Harbormaster a request for reinstatement renewal form together with the \$10.00 renewal fee and a late fee of \$50.00, for a total of \$60.00, prior to March 1st of the following year. The final opportunity to appeal removal from the waiting list will be at the regularly scheduled meeting of the Waterways Board in April. A revised waiting list will be posted after the meeting so appeals will not be considered by the board after this time.

E. Notification A person on a waiting list who becomes eligible for the next available mooring space shall be so notified, in writing, by the Harbormaster at their address of record. Said person shall have forty five (45) days to respond to the Harbormaster. If the person fails to respond, or turns down the opportunity to install a mooring at the designated location, the Harbormaster shall proceed to the next person on the waiting list. Applicants wishing to be passed over may do so for as long as they chose and continue to renew their application and pay the renewal fee. A person assigned a mooring will have one (1) calendar year to place a vessel on the mooring. Provided, however, that a mooring fee, based on the declared length on the wait list, will be paid for the year regardless if there is a vessel to occupy the space.

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F. Transfer of position on waiting list. Upon presentation of a death certificate, the harbormaster may transfer an applicant's position on the waiting list to a member of the applicant's immediate family. An immediate family member shall be defined and limited to the applicant's parents, spouse or children. The position shall be transferred by right of survivorship.

Section 4. Identification of Moorings and Permitted Vessels

A. Mooring Buoys All personal moorings shall be a white buoy with a blue horizontal band not less than two (2) inches wide. Personal mooring buoys shall be not less than twelve (12) inches in diameter. All transient Moorings shall be an orange buoy, not less than twenty four (24) inches in diameter, and marked with a six (6) inch black reflective "T". All City Moorings shall be an orange buoy, not less than twenty four (24) inches in diameter, and marked with a six (6) inch black reflective "GT". All mooring buoys shall be marked and numbered as set forth below. All winter logs shall be removed and moorings buoys in place by May 30th each year.

B. Identification Numbers The Harbormaster shall assign an identification number to every mooring in Gloucester's waterways, upon issuance of a permit. Personal Moorings shall be assigned Arabic numerals. Transient Moorings shall be assigned the letter "T" with Arabic numerals and City Moorings shall be assigned the letters "GT" with Arabic numerals. In addition, each identification number shall include the LOA of the permitted vessel in the case of a Personal Mooring and the maximum LOA allowed for any Transient or City Mooring. Every permittee shall paint or affix their assigned identification number on the mooring buoy by May 30 * of every year, in the manner shown below. All identification numbers shall be no less than three (3) inches in height and shall include a hyphen before the LOA numbers. All numbers shall be black and legible. All winter logs shall be marked with the permit number. Any mooring that is without the identification numbers, poorly maintained, improperly numbered or illegible as set forth herein shall receive an assessment fee of \$50.00 dollars as per Gloucester City Ordinance 10-51(i) 1. and may be removed by the Harbormaster at the owners expense.

Examples of buoy numbering:

Personal Mooring #79
for a 23' vessel



White Buoy with blue stripe

Transient Mooring T 6
for a vessel up to 40'



Orange Buoy

City of Gloucester Mooring GT 17
for a vessel up to 35'



Orange Buoy

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C. Identification Stickers The Harbormaster shall provide every permittee with a mooring identification sticker which shall bear the mooring number of the permitted vessel. This sticker shall be attached to the outside of the hull of the permitted vessel, on the starboard transom. Stickers shall not be altered or obscured. All vessels not properly displaying the sticker shall be assessed an additional fee of \$50.00 as per Gloucester City Ordinance 10-51(i) 2.

Section 5. Mooring Installation and Maintenance Standards

A. Requirement *“All moorings shall be placed under the direction of the Harbormaster and are subject to inspection by the Harbormaster prior to their initial placement and at intervals of three (3) years.”* Gloucester Code Section 10-51(a)

B. Inspection of Moorings At the time of placement, all moorings shall be consistent with standards set forth herein. At each inspection older moorings shall be altered or replaced in order to be consistent with said standards. The expense of hauling and resetting a mooring along with any repairs or replacement of gear required by these Regulations shall be borne by the permittee.

If the Harbormaster cannot be present at a mooring inspection he may require a written report by the permittee or an independent contractor who was present at the hauling, performed an inspection and made repairs to bring the mooring up to standards set forth herein. Said written report shall be submitted to the Harbormaster within seven (7) days of the hauling and inspection, shall be signed by the contractor and include date and time of inspection, persons present, description of mooring ground tackle and buoy, and any inconsistency with the standards set forth herein.

In certain cases the Harbormaster may allow underwater inspections of mooring gear by a qualified, independent diver. Approval of this type of inspection shall require a written report of the inspection, similar to that listed above, submitted by the diver within seven (7) days of the inspection.

C Installation Standards All moorings within Gloucester’s waterways shall maintain the following standards. The standards set forth herein are **minimum standards** for **normal weather conditions**. It is the responsibility of the permit holder to take additional measures in the event of **stronger winds, extreme tides or other severe weather conditions**. The Harbormaster reserves the right to alter these minimum standards due to the existence of the varying mooring loads created by dissimilar vessel characteristics and/or variables of local mooring areas. Substitutions are only allowed with written permission of the Harbormaster.

D. Identification All Mooring buoys shall be marked as outlined in Article IV Section 4 A., B. & C. Improperly marked buoys shall be subject to an assessment fee of \$50.00.

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E. Disclaimer/Indemnification Anyone who moors in the Waterways of Gloucester does so at their own risk. The City of Gloucester, the Waterways Board and the Harbormaster are not responsible for any damage or injury caused by mooring failures or the public use of the Waterways.

F. Mooring areas by exposure The Mooring areas of the City of Gloucester are divided into the following categories as defined by exposure to the weather.

1. Protected Pirates Cove, Smith Cove, Lobster Cove, Annisquam River Areas A & B.

a. Annisquam River A is bow and stern mooring only

2. Semi Protected Little River, Jones Creek, Mill River, Annisquam River Area C, D & E.

3. Exposed Area 1 Freshwater Cove, Oak Cove, Inner Harbor, Hodgkins Outer & Inner, Lanes Cove, Diamond Cove, Lighthouse Beach, Cambridge Beach, Lighthouse Cove (Raymond's Beach), Salt Island, Essex Bay,

4. Exposed Area 2 Wonson Cove, Ten Pound Island, South East Harbor, Eastern Point Yacht Club.

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G. Specifications for minimum mooring standards

Exposed Areas 1&2

Boat Length	Mooring Weight	Bottom Chain	Top Chain	Pennant
0-17'	3000	$\frac{3}{8}$	$\frac{3}{8}$	$\frac{1}{2}$
18-26'	3000	$\frac{1}{2}$	$\frac{3}{8}$	$\frac{1}{2}$
27-35'	4000	$\frac{1}{2}$	$\frac{3}{8}$	$\frac{3}{4}$
36-42'	6000	$\frac{3}{4}$	$\frac{1}{2}$	(two) $\frac{3}{4}$
42-52'	8000	$\frac{3}{4}$	$\frac{1}{2}$	(two) $\frac{3}{4}$
52' and over - As specified by Harbormaster				

Protected/Semi Protected Areas

Boat Length	Mooring Weight	Bottom Chain	Top Chain	Pennant
0-17'	1000	$\frac{3}{8}$	$\frac{3}{8}$	$\frac{1}{2}$
18-26'	2000	$\frac{1}{2}$	$\frac{3}{8}$	$\frac{1}{2}$
27-35'	4000	$\frac{1}{2}$	$\frac{3}{8}$	$\frac{3}{4}$
36-42'	6000	$\frac{3}{4}$	$\frac{1}{2}$	(two) $\frac{3}{4}$
42-52'	8000	$\frac{3}{4}$	$\frac{1}{2}$	(two) $\frac{3}{4}$
52' and over - As specified by Harbormaster				

- Mooring Weight** The mooring weight is based on the dry weight of concrete. Mushroom anchors will not be allowed.
- Alternative mooring weight** Alternative mooring weight concepts such as a screw type or pyramid system (i.e. Helix or Dor-Mor) may be allowed with the Harbormaster's written permission.
- Bottom Chain** The length of the bottom chain in the **Protected/Semi Protected** areas and in Area 1 shall be at least equal in length to the depth of the water at **MLW (Mean Low Water)** at the permittee's mooring location. For Area 2 the bottom chain length shall require the use of **MHW (Mean High Water)** for this measurement.
- Chain and Pennant** The total length of chain and pennant shall be equal to **at least 3 times** the depth of water at **MHW (Mean High Water)** at permittee's location, not to exceed 4 times the depth of water at MHW without the written permission of the Harbormaster.
- Mooring pennant** The length of Mooring pennant shall be **2 1/2 times** the distance from the waterline through the chock and to the deck cleat of permittee's vessel.
- Variations from Minimum Standards** The Harbormaster may require or permit variations to these minimum standards. Such variations shall require a written explanation to be included in the permittee's file

H. Responsibility It is the permittee's responsibility to ensure that the mooring equipment, chocks and cleats of the permitted vessel be in safe and serviceable condition.

I. Environmentally sensitive areas The Harbormaster may require alternate mooring specifications for areas that have been designated as environmentally sensitive.

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J. Mooring Areas The Harbormaster, in conjunction with the Waterways Board, may require the relocation of permitted moorings for the purpose of maximizing the available mooring areas and public access in Gloucester waters. Size, draft and type groupings, grid patterns and shared floats are some examples that may be considered in the future. It will be the responsibility of the permit holder to bear the cost of relocation in the event of any reconfiguration of a mooring area.

Section 6. Personal Moorings

A. *“Personal Moorings (are) for the sole use by the single vessel of an individual and his or her immediate family”.* Gloucester Code Section 10-51(d)

B. Fees *“Fees for Personal Moorings shall be charged by the length of the vessel at the rate of four dollars (\$4.00) per foot for Gloucester residents and taxpayers and at the rate of six dollars (\$6.00) per foot for nonresidents.”*
Gloucester Code Section 10-51(e)

C. Definition of “Resident” and “Taxpayer” For the purposes of these regulations, the term “resident” shall include any applicant who can provide, to the Harbormaster, proof of any of the following: payment of real estate taxes or water fees to the City of Gloucester in the preceding year; registration as a voter in Gloucester; inclusion in the current “List of Residents” prepared by the Board of Registrars of Voters; twelve (12) months of rent receipts and canceled rent checks for the preceding year for a rental dwelling unit in Gloucester, driver’s license or utility bills (ie... electric, gas, phone). For the purposes of these regulations the term “taxpayer” shall include any individual who has paid real estate taxes to the City of Gloucester in the preceding year.

D. Rental of Moorings No personal mooring shall be rented. Failure to comply with this regulation shall result in automatic revocation of the Mooring Permit.

E. Use of Moorings No Personal Mooring shall be transferred, swapped, or temporarily reassigned except as set forth below:

(1) A Personal Mooring Permit may be amended by the Harbormaster to allow transfer to a member of the permittee’s immediate family. For the purposes of these regulations, immediate family shall be defined and limited to the permittee’s parents, spouse or children.

(2) Personal Mooring locations may be swapped between two or more permittees with the written permission of the Harbormaster. A swap of mooring locations may only occur when the vessels being relocated match in LOA. If the vessels proposed to be swapped are dissimilar in size and characteristics this requires an amendment to the permit and section 2. J. will be applied.

(3) In order to promote Gloucester as a welcoming port, and to facilitate the further enjoyment of Gloucester waters by local boaters, a permittee may allow a vessel, no greater in LOA than the permitted vessel of

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record, to moor at his/her Personal Mooring for a period not to exceed forty-eight (48) hours. A longer period may be allowed with notification of, and written permission from, the Harbormaster. In some instances a temporary reassignment may be considered for a particular boating season. In this case preference will be given to vessel owners who are known by the permittee and are currently on the waiting list for a mooring. As stated in Section 1. General Policies, A. Habitual Use; this period shall not exceed one (1) permit-year. Repeat requests by the same permittee will be cause for the WWB to reevaluate the need of the permittee for the mooring space.

(4) Dockmasters of the Eastern Point and Annisquam Yacht Clubs, and other organizations approved by the Waterways Board may, under the general supervision of the Harbormaster, assign visiting vessels to the Personal Mooring of their members provided that they provide assistance to all visiting boaters irrespective of yacht club membership and that no transient mooring fee is charged. The yacht clubs may however, charge reasonable fees for launch services and the use of other facilities such as showers and laundries.

F. Sale of Moored Vessel When a vessel of record on a mooring permit is sold or transferred to another party, the new owner or party in charge of the vessel shall have neither access rights to nor use of the mooring.

Section 7. Transient Moorings

A. Definition *“Transient Moorings may be used by waterfront businesses or yacht clubs for transient vessels. It is intended that the number of Transient Moorings be limited, especially in the Inner Harbor and smaller coves. The Harbormaster may limit the size of vessels which may be tied to Transient Moorings to protect adjacent vessels.”*
Gloucester Code 10-51(d)

B. Fees *“The fee for Transient Moorings shall be two hundred (\$200.00) dollars each.”* Gloucester Code Section 10-51(e)

C. Definition of “Transient Vessels” For the purposes of these regulations, the term “Transient Vessels” shall include commercial or recreational vessels visiting areas of Gloucester for up to fourteen (14) days. This includes vessels under or awaiting repair or service at a boat yard, marina, or other service facility. The Harbormaster may consider extending the use not to exceed thirty (30) days in a boating season on a case by case basis.

D. Application Process

Applications for Transient Moorings may be submitted between the first business day of the calendar year and April 15 on forms provided by the Harbormaster. Applicants for a Transient Mooring(s) shall submit a written statement that explains the specific need for the Transient Mooring(s), describes the impact on existing moorings, and explains why the public interest is better served by granting a Transient Mooring than assigning the available space to an

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individual on a waiting list. The applicant shall also provide the following information regarding the use and management of the Transient Mooring(s): fees to be charged; a list of services included in the fee, such as launch service, and services for which an additional fee will be charged; reservation process and schedule of availability; and expected number of days the mooring will be in use for the year. Also to be included will be a list of the types of services provided by the business that may be of use to commercial or recreational vessels.

E. Review and Approval Upon initial receipt of any completed Transient Mooring application, the Harbormaster shall refer the application to the Waterways Board for review and approval, along with his/her recommendations. In its review of the application, the Waterways Board, must be satisfied that the proposed Transient Mooring is in the public interest and will not interfere with adjacent moorings. The Board may impose conditions, limitations and safeguards on any Transient Mooring. Upon approval by the Board, the Harbormaster shall issue the Transient Mooring permit. Once a Transient Mooring has been reviewed and approved by the Waterways Board, subsequent renewals may be approved by the Harbormaster, provided that the circumstances of the mooring and applicant have not materially changed. The Waterways Board shall, every five (5) years or sooner, review the usage and benefits of any permitted transient moorings to determine if the public's best interests continue to be served by the re-issuance of these transient mooring permits.

F. Use of Transient Moorings Transient Moorings shall be managed and assigned only by the permittee. No Transient Mooring shall be transferred, operated, swapped or rented in a manner inconsistent with, or in violation of, the permittee's application and permit for said mooring. Transient moorings are intended to be used by transient vessels who wish to moor for up to fourteen (14) days. This applies to the single vessel within one boating season. A longer period, not to exceed thirty (30) days, may be allowed as stated above in paragraph C. Permittees wishing to have an extension of use must receive the Harbormasters permission in writing. Violations of these provisions shall be subject to an assessment of \$50.00, as per Gloucester City Ordinance 10-51(i) 3. or may result in revocation of the mooring permit.

Section 8. City Moorings

A. Definition A mooring "*which may be approved by the Waterways Board for public purposes.*" Gloucester Code Section 10-51(d)

It is intended that City Moorings be owned by the City and operated by the Harbormaster for vessels in distress, as moorings of refuge in emergency situations, or for other public purpose approved by the Waterways Board. It is the intention of the Waterways Board to provide at least one (1) City Mooring in each of the larger coves and harbors.

B. Fees The City shall not be required to pay fees for City Moorings

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Section 9. Use of Moorings

A. Movement of Moorings No mooring shall be moved from its assigned location without the written permission of the Harbormaster. If the Harbormaster determines that moorings are too close together for safe operation, the permittee with the least seniority will be required to move his/her mooring by order of the Harbormaster. However, if it can be proven to the Harbormaster's satisfaction that the adjacent mooring dragged or otherwise moved to create the congestion, the adjacent permittee shall be required to relocate his/her mooring by order of the Harbormaster.

B. Emergency and Unforeseen Conditions The Harbormaster shall have the authority to act in response to sudden conditions and/or events which may require the temporary movement or removal of permitted vessels and/or moorings. Said authority shall not be limited to unforeseen events such as extreme weather, hazardous materials incidents, and emergency repairs to underwater cables or pipes. The Chairman and/or Vice-Chairman of the Waterways Board may be consulted prior to the declaration of emergency and permittees shall be given 24 hours notice if possible. In the event that permittees cannot be contacted or fail to remove their vessels or moorings as directed by the Harbormaster, the Harbormaster shall have the authority to move said vessels and moorings at the permittees expense.

C. Rafting of Vessels The temporary, short-term rafting of vessels on moorings is permitted under the following conditions:

- (1) The moored vessel in the raft must be the vessel of record for the subject mooring or must be assigned to that mooring by the Harbormaster or an authorized yacht club dockmaster;
- (2) The rafted vessels must be organized to safely and evenly distribute the load of the raft on the mooring gear.
- (3) At least one (1) qualified operator must remain on board each rafted vessel at all times so that the raft can be dispersed in an emergency; and
- (4) Rafts must be dispersed when the sustained winds exceeds twenty (20) knots, when the safety of neighboring vessels is threatened or when directed by the Harbormaster or authorized yacht club dockmaster.

D. Shared Mooring Floats The Gloucester Waterways Board, in an effort to conserve mooring space, will consider the installation of shared mooring floats for use by more than one vessel on a case by case basis. In all cases the permitted vessel (s) being attached to such a float shall be either permitted in, or taken from the top of the waiting list for, the particular mooring field where the original, or newly created, mooring is set. The location of the mooring float may require the use of bow and stern moorings. Applications for a shared mooring float shall be presented to the Board and include a scale drawing of the float detailing its appropriate length for the proposed

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vessels, sturdy construction, through-bolted cleats for the vessels and the attachments to properly sized ground tackle suitable to the Harbormaster. Shared mooring floats shall not threaten or interfere with any other permitted mooring. Each vessel on a Shared Mooring Float shall pay the standard mooring fee set forth by City Ordinance.

Shared Mooring Floats are intended to be used strictly for the tying up of permitted vessels. No storage of any personal property including, but not limited to, traps, gear, or picnic equipment shall be allowed on Shared Mooring Floats.

E. Mooring Trawls The Gloucester Waterways Board, in an effort to conserve mooring space, advocates the installation of Mooring Trawls by waterfront organizations approved by the Waterways Board. A Mooring Trawl is a line of mooring buoys attached to properly sized common moorings for use by vessels of similar size and characteristics. An application for a Mooring Trawl shall be made by the sponsoring waterfront organization and shall include a scale drawing of the Trawl, its ground tackle and size and type of vessel the trawl is designed for. Said Trawls shall not threaten or interfere with any other permitted mooring. The Waterways Board's approval of mooring Trawls may include conditions, limitations, safeguards and location. The owner of each vessel tied to a Mooring Trawl shall be required to have a Mooring Permit as set forth in Section 2, herein, and shall be required to pay the normal mooring fee for said vessel. The Waterways Board shall, every five (5) years or sooner, review the usage and benefits of any permitted Mooring Trawls to determine if the public's best interests continue to be served by the re-issuance of these Mooring Trawl permits.

F. Moorings on Private Tidelands No Mooring Permit may authorize the placement of a mooring on private tidelands if objected to by the owner(s) thereof. Mud Flat Moorings may be issued to waterfront property owners. Moorings will be positioned at the Harbormaster's discretion to insure that the mooring and vessel are out of the navigable water during low tide. When issuing a Mud Flat Mooring the Harbormaster shall confer with the Shellfish Warden and the Conservation Commission.

G. Restricted Areas No Mooring Permit may authorize the placement of a mooring in any navigational channel, turning basin or other restricted area formally designated by the Waterways Board or by Federal or State agencies. No Mooring Permit may authorize interference with the public's rights of fishing, fowling and navigating on tidelands.

H. Stray Vessels Any Permitted vessel which is (1.) Sunken or likely to sink; (2.) Aground or awash; (3.) Adrift and likely to damage piers, wharfs, floats or other vessels; (4.) A hazard or menace to navigation; or (5.) Secured to a mooring without proper authorization, is hereby declared to be a public nuisance and shall be considered a stray vessel. Failure of a permittee to remove or secure a stray vessel, as directed by the Harbormaster, shall result in revocation of the Mooring Permit.

ARTICLE IV MOORING REGULATIONS

Section 10. Designated Mooring Areas

A. Authorized Areas The Harbormaster will issue permits for moorings in areas determined to be practical from a safety, accessibility and environmental perspective. Safety issues will be considered in locations that are areas unprotected from strong winds and/or long fetch and where moorings may encroach or inhibit normal marine traffic use and usual fishing practices. Accessibility will be judged by consideration of landing facilities near by and/or useable by the permittee. Modification by the above guide will be possible with approval of the Gloucester Waterways Board. The following vicinities are designated as Authorized Mooring Areas without identified restrictions;

Freshwater Cove Wonson Cove Oak Cove

Ten Pound Island Pirates Cove Smith Cove Inner Harbor

Little River Jones Creek Mill River Lobster Cove Goose Cove Hodgkins Outer Lanes Cove

The following area is designated as an Authorized Mooring Area for vessels twenty (20) feet or greater in length and/or have a self bailing cockpit;

South East Harbor

The following area is designated an Authorized Mooring Area for vessels no greater in length than twenty (20) feet;

Hodgkins Inner

The following areas are designated as Authorized Mooring Areas with specific boundaries;

Annisquam River

Area A Entrance to Little River north to the 128 Bridge

Area B 128 Bridge north to Nun Buoy “28” off of Riverview

Area C Riverview north to Thurston Point

Area D Thurston Point north to Nun Buoy “14” off of Wingersheek Beach

Area E Nun Buoy “14” north to Babson Point Wingersheek Beach

ARTICLE IV MOORING REGULATIONS

B. Limited Access Areas There are several areas that have been identified as “Limited Access Areas” due to their exposed locations and lack of adequate public access facilities within safe travel distance. Additional moorings will only be issued to people who have safe access from an existing ramp, float, dock or private beach. Such as:

Diamond Cove, Lighthouse Beach, Cambridge Beach, Lighthouse Cove (Raymond’s Beach), Salt Island, Essex Bay and Eastern Point Yacht Club

The reason for identifying these areas as limited access is solely based on safety. Traveling any distance by a small dinghy to these exposed areas would create a hazardous voyage. These areas are limited to those property owners that have immediate access. The Waterways Board shall, every five (5) years or sooner, review each of the areas listed as a Limited Access Area to determine if the public’s best interests continue to be served by this designation.

Section 11. Designated Anchorage Areas

A. Purpose

To provide transient vessels with safe and welcome waterways within the City of Gloucester (Gloucester Waterways) while simultaneously prohibiting the establishment of unauthorized and illegal moorings.

To see that no anchored vessel interferes with the safe and orderly navigation of vessels in and around Gloucester Waterways.

B. Authorized Areas

The City of Gloucester Waterways Board has designated certain and specific areas for the anchorage of vessels in order for boaters to safely enjoy Gloucester Waterways.

The following anchorage's are designated for use by vessels anchoring overnight:

1. Federal Anchorage Area, Gloucester Inner Harbor, at *NOAA Chart 13281*;
2. South East Harbor, bounded by Ten Pound Island and Dog Bar Breakwater; and
3. Western Harbor, vicinity of stage Head, west of sewer outfall pipe at *NOAA Chart 13281* .

C. Prohibited Areas

Anchoring in the following areas is prohibited:

1. All federally designated channels as defined at *NOAA Chart 13281*; and
2. All designated mooring areas as defined at *Article IV Mooring Regulations, Section 10*.

D. Special Situations

ARTICLE IV MOORING REGULATIONS

Under special situations and as consistent with the purposes of these *Regulations*, the Harbormaster may authorize additional areas for anchoring not already established pursuant to *Paragraph B* of these *Regulations*.

Transient vessels, when anchoring near designated public or private swimming areas, shall comply with the laws of the Commonwealth of Massachusetts and *City of Gloucester Ordinances* as to vessel operation.

E. Transient Vessel

For the purposes of these regulations, the term “Transient Vessels” shall include commercial or recreational vessels visiting areas of Gloucester for up to fourteen (14) days. This includes vessels under or awaiting repair or service at a boat yard, marina, or other service facility. The Harbormaster may consider extending the use not to exceed thirty (30) days in a boating season on a case by case basis.

F. Use of Anchorage

No person shall anchor a vessel in Gloucester waterways if in the opinion of the Harbormaster such anchoring has created an unsafe, unauthorized and/or illegal mooring. If such a mooring has been established, the owner and/or operator of said vessel shall be notified by the Harbormaster to cease and desist the violation. The Harbormaster may further order the vessel to be removed. Failure to comply with said order shall constitute a violation of the *City of Gloucester Ordinance; Section 10-51* and shall be subject to a penalty pursuant to *Section 10-51*. Each day the vessel remains anchored in violation of said *Ordinance* shall constitute a separate violation.